

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 3:14-cv-30100-MGM

FAITH JOHNSON,

Plaintiff

v.

AMHERST NURSING HOME, INC. D/B/A
CENTER FOR EXTENDED CARE AT
AMHERST, KEENA KEERAN and RASIDI
AKODO,

Defendants

**PLAINTIFF'S ASSENTED-TO MOTION TO CONTINUE HEARING ON
DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S FIRST AMENDED
COMPLAINT**

NOW COMES the Plaintiff, Faith Johnson ("Plaintiff" hereinafter), with the assent of the Defendants, Amherst Nursing Home, Inc. d/b/a Center for Extended Care at Amherst and Keena Keeran (collectively "Defendants" hereinafter), and hereby moves this Honorable Court to continue the hearing on Defendants' Motion to Dismiss Plaintiff's First Amended Complaint ("Defendants' Motion" hereinafter) in the above-captioned matter, currently set for Thursday, January, 2015 at 11:00 a.m., to Thursday, February 12, 2015.

AS GROUNDS therefor, the Plaintiff states the following:

1. A hearing on Defendants' Motion was originally scheduled to commence on Thursday, January 22, 2015 at 10:00 a.m. [37]. On January 15, 2015, the hearing on

Defendants' Motion was rescheduled [40] and is currently scheduled to commence on Thursday, January 29, 2015 at 11:00 a.m.

2. Plaintiff's Counsel is unavailable to attend a hearing on Defendants' Motion on the currently scheduled date of January 29, 2015. Plaintiff's Counsel is scheduled to attend mediation in another matter on January 29, 2015, beginning at 10:30 a.m.
3. Plaintiff's Counsel has conferred with Counsel for the Defendants, Meghan B. Sullivan, Esq., who has indicated that the Defendants assent to the instant Motion.
4. The Parties are available for a hearing on Defendants' Motion on Thursday, February 12, 2015.
5. Accordingly, the Plaintiff respectfully requests that the Court continue the hearing on Defendants' Motion to Thursday, February 12, 2015.
6. No party will be prejudiced by the allowance of this Motion.

WHEREFORE, the Plaintiff, with the assent of the Defendants, respectfully requests that the Court continue the hearing on Defendants' Motion to Dismiss Plaintiff's First Amended Complaint ("Defendants' Motion" hereinafter) in the above-captioned matter, currently set for Thursday, January, 2015 at 11:00 a.m., to Thursday, February 12, 2015.

Respectfully submitted,

The Plaintiff
FAITH JOHNSON
By Her Attorney

/s/ Michael O. Shea
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Dated: January 16, 2015

LOCAL RULE 7.1 CERTIFICATION

I, Michael O. Shea, Esq., hereby certify that I, Counsel for the Plaintiff, conferred with Counsel for the Defendants, Amherst Nursing Home, Inc. d/b/a Center for Extended Care at Amherst and Keena Keeran, Meghan B. Sullivan, Esq., pursuant to Local Rule 7.1 via email on January 15, 2015 in an attempt to narrow the issues contained in the within Motion. Defendants' Counsel has indicated that they assent to the instant Motion.

/s/ Michael O. Shea
Michael O. Shea

CERTIFICATES OF SERVICE

I, Michael O. Shea, Esq., hereby certify that on the 16th day of January, 2015, I served the foregoing document by electronic filing through the ECF system to Counsel of Record for the Defendants, Amherst Nursing Home, Inc. d/b/a Center for Extended Care at Amherst and Keena Keeran.

/s/ Michael O. Shea
Michael O. Shea

I, Michael O. Shea, Esq. hereby further certify that on the 16th day of January, 2015, I served a true copy of the foregoing document via first class mail, postage prepaid, to the *pro se* Defendant, Rasidi Akodu, at Post Office Box 3293, Amherst, Massachusetts, 01004.

/s/ Michael O. Shea
Michael O. Shea